

REMARKS

Claims 2-27, 29-34, 36-41, and 43-68 are pending in this application after this Amendment. Claims 1, 28, 35, and 42 are canceled without prejudice or disclaimer to the subject matter contained therein. Claims 2, 5, 7, 29-30, 32, 34, 36, 37, 39, 41, 44, 47, and 50 are independent. In light of the amendments and remarks contained herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner objected to the title and further objected to claim 12. The Examiner further rejected claims 1, 13-28, 31, 32, 35, 38-40, 42, 43, 53, and 54 under 35 U.S.C. § 102(b) as being anticipated by *Hecht et al.* (USP 5,449,895). Applicants respectfully traverse this rejection.

Applicants wish to thank the Examiner for indicating claims 2-12, 29, 30, 33-34, 36-37, 41, and 44-52 include allowable subject matter.

Specification

In response to the Examiner's objection to the title of the invention, Applicants have amended the title herewith to read --A Coding Pattern And Apparatus And Method For Determining Data Values In The Coding Pattern--, as suggested by the Examiner. Applicants respectfully request that the outstanding objection be withdrawn.

By this Amendment, Applicants have amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

Specifically, Applicants have amended claims 2, 5, and 7 to include the elements of claim 1. Applicants have further amended claims 29-30, 32, and 34 to include the

elements of claim 28. Applicants have further amended claims 36-37, 39 and 41 to include the elements of claim 35. Applicants have further amended claims 44, 47, and 50 to include the elements of claim 42. As the Examiner has indicated that these claims include allowable subject matter, Applicants respectfully submit that the claims are in proper form for allowance.

Applicants respectfully submit that, with regard to claims 32, 39 and 41, these claims are identical in scope to claim 5, which the Examiner has indicated as allowable. As such, Applicants respectfully submit that claims 32 and 39 are allowable.

Conclusion

If the Examiner has any questions concerning this application, the Examiner is requested to contact Catherine M. Voisinet, Reg. No. 52,327 at the telephone number of (703) 205-8000. Facsimile communications may be sent to facsimile number of (703) 205-8050.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

By

Michael K. Mutter

Registration No.: 29,680

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant